

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

ROBERT L. PARKER, ET AL.

Application No.: 09/970,535

Filed: October 3, 2001

For: **PRESENTATION OF PERSONALIZED MERCHANDISE IN AN
ELECTRONIC COMMERCE TRANSACTION**

Commissioner for Patents
Attention: **Box Missing Parts**
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of Application mailed November 1, 2001, please find enclosed:

(1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;

(2) a check in the amount of \$130.00 in payment of the surcharge of 37 CFR § 1.16(e);

(3) a copy of the Notice to File Missing Parts of Application;

(4) substitute drawings and specification in compliance with 37 CFR 1.84 (if required); and

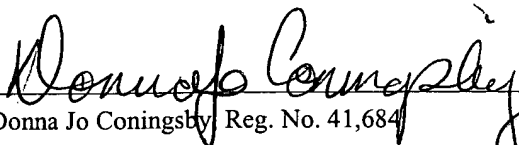
(5) request for corrected filing receipt (if required).

If any additional fee is required, please charge Deposit Account No. 02-2666. An extra copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Respectfully submitted,

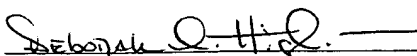
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: December 6, 2001

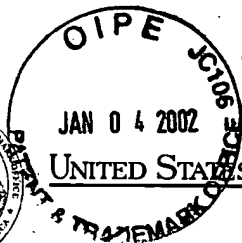

Donna Jo Coningsby, Reg. No. 41,684

12400 Wilshire Blvd., 7th Floor
Los Angeles, California 90025
Telephone: (503) 684-6200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Attention: Box Missing Parts, Washington, D.C. 20231 on: December 6, 2001.


Deborah L. Higham

12/06/01
Date



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/970,535	10/03/2001	Robert L. Parker	42390P9334

08791
BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
LOS ANGELES, CA 90025

CONFIRMATION NO. 1378

FORMALITIES LETTER



OC000000007007000

Date Mailed: 11/01/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

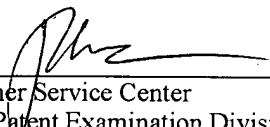
FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

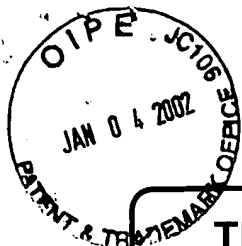

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/09/2002 MBERHE 00000022 09970535

01 FC:105

130.00 OP



Scot

PTO/SB/21 (12/97)
Approved for use through 9/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application No.	09/970,535	
	Filing Date	October 3, 2001	
	First Named Inventor	Robert L. Parker	
	Group Art Unit	2163	
	Examiner Name	Not Assigned	
Total Number of Pages in This Submission		Attorney Docket Number	42390P9334

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"><ul style="list-style-type: none">- Dec/POA signed- PTO Form 1533- Check for \$130.00- Return Receipt Postcard</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Donna Jo Coningsby, Reg. No. 41,684 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	December 6, 2001

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:			
December 6, 2001			
Typed or printed name	Deborah L. Higham		
Signature		Date	December 6, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box

+

JAN 04 2002

PTO/SB/17 (12/99)
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FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.

Complete if Known

Application No.	09/970,535
Filing Date	October 3, 2001
First Named Inventor	Robert L. Parker
Examiner Name	Not Assigned
Group/Art Unit	2163
Attorney Docket Number	42390P9334

TOTAL AMOUNT OF PAYMENT (\$) 130.00

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to credit any overpayments to:

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

☒ Charge Any Additional Fee(s) Required Under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

☐ Applicant claims small entity status. See 37 CFR 1.27.

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
101	201	Utility filing fee	
106	206	Design filing fee	
107	207	Plant filing fee	
108	208	Reissue filing fee	
114	214	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Large Entity	Small Entity	Extra Claims	Fee from below	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)	Fee (\$)
103	203	9	Claims in excess of 20	
102	202	42	Independent claims in excess of 3	
104	204	140	Multiple Dependent claim, if not paid	
109	209	42	**Reissue independent claims over original patent	
110	210	9	**Reissue claims in excess of 20 and over original patent	

**or number previously paid, if greater. For Reissues, see below

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
103	203	9	Claims in excess of 20
102	202	42	Independent claims in excess of 3
104	204	140	Multiple Dependent claim, if not paid
109	209	42	**Reissue independent claims over original patent
110	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

FEE CALCULATION (continued)

3. ADDITIONAL FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
105	205	65	Surcharge - late filing fee or oath
127	227	25	Surcharge - late provisional filing fee or cover sheet.
139	239	130	Non-English specification
147	247	2,520	For filing a request for reexamination
112	212	920*	Requesting publication of SIR prior to Examiner action
113	213	1,840*	Requesting publication of SIR after Examiner action
115	215	55	Extension for response within first month
116	216	200	Extension for response within second month
117	217	460	Extension for response within third month
118	218	720	Extension for response within fourth month
128	228	980	Extension for response within fifth month
119	219	155	Notice of Appeal
120	220	155	Filing a brief in support of an appeal
121	221	135	Request for oral hearing
138	238	1,510	Petition to institute a public use proceeding
140	240	55	Petition to revive - unavoidable
141	241	620	Petition to revive - unintentional
142	242	640	Utility issue fee (or reissue)
143	243	230	Design issue fee
144	244	310	Plant issue fee
122	222	130	Petitions to the Commissioner
123	223	130	Petitions related to provisional applications
126	226	180	Submission of Information Disclosure Stmt
581	281	40	Recording each patent assignment per property (times number of properties)
146	246	355	Filing a submission after final rejection (37 CFR 1.129(a))
149	249	355	For each additional invention to be examined (37 CFR 1.129(b))
179	279	370	Request for Continued Examination (RCE)
169	269	900	Request for expedited examination of a design application
Other fee (specify)			
Other fee (specify)			
* Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)			130.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Donna Jo Coningsby	Registration No. (Attorney/Agent)	41,684	Telephone	(503) 684-6200
Signature		Date	12/06/01		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

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